

Statement of
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“Law Enforcement and the Fight Against Methamphetamine”

Chairman Souder and Members of the Subcommittee: I am pleased to be here this morning on behalf of the U.S. Department of Justice (DOJ) Office of Justice Programs (OJP) before the Subcommittee to discuss how OJP provides financial and technical support in addressing the problem of methamphetamine abuse, manufacturing, and trafficking in the United States. As requested by the Subcommittee, my testimony also includes information on the Office of Community Oriented Policing Services (COPS) methamphetamine program.

As we continue to combat the deadly scourge of methamphetamine, we can take note that our efforts in fighting crime are succeeding. Thanks to the men and women of law enforcement, our achievements are impressive:

- We have driven the violent crime rate to its lowest level in 30 years.
- Over the past two years alone, we have dismantled 14 major drug-trafficking networks and seriously disrupted eight more.
- We have seen teenage drug use fall across the board for eighth-, tenth-, and twelfth-graders-the first time in a decade.

- Last month, a second survey showed that over the past two years, illegal drug use by 12- and 13-year-olds has dropped a stunning 29 percent for the gateway drug marijuana.

The data shows that these men and women continue to help make a difference in the prevention of drug abuse. We have taken more drug offenders off the street and have given those street corners back to the good people of the community. We are ensuring that hardened criminals do hard time in prison. And we remain committed to preventing crime and holding accountable those who violate our laws, including those who produce, traffic and abuse methamphetamine.

As the Director of the Bureau of Justice Assistance (BJA), I focus on the problems associated with methamphetamine from a national perspective. However, in my previous position as Director of the Office of Criminal Justice Services in Ohio, I saw first-hand the toll that methamphetamine has on Ohio families and children, as well as the Ohio justice system. Mr. Chairman, as we both know, coming from heartland states, the problems associated with methamphetamine production, distribution, and abuse is of grave concern to rural areas. In fact, the Rural Indiana Profile reports that eighth graders in rural areas are 108 percent more likely to use methamphetamine than eighth graders in urban areas.

BJA Programs Addressing Methamphetamine

Through various BJA funding sources, law enforcement agencies across the nation are addressing the prevention and treatment of methamphetamine abuse, as well as the production, distribution, and exposure risks to officers and citizens. Methamphetamine task forces and other

anti-drug efforts investigate and prosecute drug crimes as well as ensure law enforcement officers' safety while encountering meth manufacturing areas. BJA also provides training and technical assistance through the Center for Task Force Training and the Regional Information Sharing System programs.

The Edward Byrne Memorial State and Local Law Enforcement Assistance

Program is a partnership among federal, state, and local governments to create safer communities. BJA is authorized to award grants to states for use by states and units of local government to improve the functioning of the criminal justice system—with an emphasis on violent crime and serious offenders—and enforce state and local laws that establish offenses similar to those in the federal Controlled Substances Act. The Administration has proposed replacing this program with a new, more flexible Byrne Justice Assistance Grant Program in 2005.

Grants are primarily intended to seed promising practices and test new approaches to prevent and control crime, but may be used to provide personnel, equipment, training, technical assistance, and information systems for more widespread apprehension, prosecution, adjudication, detention, and rehabilitation of offenders who violate state and local laws. Grants also may be used to provide assistance (other than compensation) to the victims of these offenders.

In fiscal year 2003 alone, at least eight states and partnering local communities made use of \$2.76 million in Byrne Program funds for anti-methamphetamine efforts. For example, in

Tennessee, Byrne funds were used to support methamphetamine investigation tracking efforts as well as prevention efforts tied in with code enforcement strategies and strategies related to monitoring of precursor chemicals. In Oregon, Byrne funds were used to support two different regional drug task forces for meth lab seizures as well as disruption of street-level distribution. A Methamphetamine Response Team was funded in Kentucky, and Kansas used Byrne funding to support the development of intensive supervision and treatment alternatives for meth abusers/offenders. Iowa and Colorado both used Byrne funding to support prevention efforts. Iowa's services targeted drug-endangered children while Colorado used Byrne funds to provide training for first responders as well as building inspectors and others likely to come into contact with methamphetamine and/or its precursor chemicals.

Because of the hazards associated with chemicals involved in the production of methamphetamine, BJA works with Byrne grantees to ensure compliance with the National Environmental Policy Act. The risks to people exposed to these chemicals are significant and far-reaching. In fact, states receiving Byrne funds and subgrantees under the Byrne Program may not use their grant monies for the identification, seizure, or closure of methamphetamine labs unless they are in compliance with certain grant conditions.

OJP, in coordination with BJA, the Drug Enforcement Administration, and the Office for Community Oriented Policing Services, prepared a program-level environmental assessment governing meth lab operations. The assessment describes the adverse environmental, health, and safety impacts likely to be encountered by law enforcement agencies as they implement specific

actions under their meth lab operations. There are several conditions that apply to grantees for any OJP-funded meth lab operations:

- Grantees must ensure compliance by OJP-funded subgrantees with federal, state, and local environmental, health, and safety laws and regulations applicable to meth lab operations, including the disposal of the chemicals, equipment, and wastes resulting from those operations.
- Grantees must have a mitigation plan in place that identifies and documents the processes and points of accountability within its state.
- Grantees must monitor OJP-funded meth lab operations to ensure that they comply with the nine mitigation measures identified in the assessment.

Unfortunately, officers also face unknown exposure when responding to homes, hotel rooms, vehicles, and other places where methamphetamine is being produced or consumed. In addition, when the immediate exposure risks are mitigated, the problem isn't gone. Officers and departments must then decide what to do with a vehicle, home, or hotel room that would normally be soon returned to its owners/occupants or used by other consumers, even though contamination may still be at unacceptable levels. It is inconceivable to me how this can happen to our communities, and the level of risk to law enforcement is intolerable.

The Local Law Enforcement Block Grant (LLEBG) Program provides funds to units of local government to underwrite projects that reduce crime and improve public safety based on a formula derived from Part I violent crime rates. The LLEBG Program emphasizes local decision-making and encourages communities to craft their own responses to local crime and drug problems. The Administration has proposed consolidating this program, along with the Byrne Memorial Grants, into a new, more flexible Byrne Justice Assistance Grant Program in 2005.

The LLEBG program guidelines allow funds to be used for various types of methamphetamine responses, including establishing multijurisdictional task forces, paying for law enforcement overtime, and acquiring specialized equipment. The funds can also be used to cover or defray the cost of insurance for hazardous assignments, as may be required with this issue.

In FY 2004, LLEBG funds supported 12 projects in 9 states, including Kentucky, Oregon, Texas, and Washington. Richmond, Kentucky funded equipment purchases for a methamphetamine laboratory trailer that is used to process meth labs encountered within the county. Oregon funded two education programs: Marion County funded "NO METH: Not in My Neighborhood," and Washington County launched an Anti-Methamphetamine Education Campaign. Corpus Christi, Texas purchased methamphetamine response protective gear for its officers. Thurston County, Washington provided overtime for its officers to support anti-methamphetamine efforts within the county.

The Drug Court Discretionary Grant Program is another valuable resource for communities experiencing methamphetamine problems. This program provides financial and technical assistance to states, state courts, local courts, units of local government, and Indian tribal governments to develop and implement drug courts that effectively integrate substance abuse treatment, mandatory drug testing, sanctions and incentives, and transitional services in a judicially supervised court setting with jurisdiction over nonviolent, substance-abusing

offenders. Drug courts assist those who abuse meth and other drugs by providing treatment, drug testing, sanctions, and transitional services to offenders.

There are currently over 1,500 operating drug courts in the United States, and many jurisdictions are interested in implementing new drug courts. In addition to funding drug court planning, implementation, and enhancement in FY 2005, BJA expects to train over 200 teams from communities across the U.S. in the drug court program, which underscores the field's strong desire for additional drug courts and improved drug court capacity, which will provide additional response options for communities dealing with methamphetamine problems.

In addition to BJA's grant programs, an emphasis has been placed on providing training and technical assistance with regard to the complexities of methamphetamine production and abuse. Just this past October, BJA, along with the Office of National Drug Control Policy (ONDCP) and the Alliance for Model State Drug Laws (a BJA grantee), sponsored a National Methamphetamine Legislative and Policy Conference. Participants from law enforcement, public health, treatment organizations, and other units of local government and justice system personnel from around the U.S. discussed ways to better address the methamphetamine problem through local ordinances and state statutes. The work at the summit produced concrete strategies and raised awareness regarding additional work needed to comprehensively attack methamphetamine throughout the nation.

BJA supports the Center for Task Force Training (CenTF), which provides training to law enforcement on task force management, investigation, and rave/club drug investigation and

response. The Narcotics Task Force Management Course and the Methamphetamine Task Force Management Course both address basic investigation techniques and basic task force management issues such as personnel selection, handling confidential informants, raid planning, and related issues. The Methamphetamine Task Force Management Course, delivered through two days of instruction, also provides investigators and managers with information on methamphetamine and its precursor chemicals, exposure risks, and suggestions on handling meth lab seizures.

In FYs 2004/2005, after hearing from law enforcement of their need for additional training, we have more than tripled the number of methamphetamine training courses offered nationwide, for a total of up to 12 courses. These courses will be delivered in addition to three Narcotics Task Force Management Courses.

As you may know, in each State the Governor identifies an agency to administer the Byrne Program funds. Their agency is the State Administering Agency (SAAs). Our strategy for delivering these trainings calls for BJA and CenTF to partner with the SAAs to ensure that the training reaches the most needed areas, agencies, and officers. An SAA in each of BJA's five administrative regions will be chosen to host the course for that region. The first such training will occur in the Commonwealth of Virginia. BJA identified Virginia after learning that it is planning a statewide methamphetamine summit to address its growing meth problem. By hosting the training through the SAA and in conjunction with the summit, we will demonstrate a strong partnership between local communities, state justice organizations, and the federal government.

BJA supports the Regional Information Sharing System (RISS), which aids law enforcement in the investigation of methamphetamine operations. It provides secure communication capabilities and other support such as investigative analysis products, specialized surveillance equipment loans, and confidential funds for undercover operations. The RISS Program is comprised of six regional centers that serve member agencies in their areas. As a part of the secure communications network, officers accessing the RISSnet secure communications network can also access the intelligence and other database services of local, state, and federal agencies, several High Intensity Drug Trafficking Areas (HIDTAs), a national gang intelligence database (RISSGang), the National Drug Intelligence Center, as many as 23 state justice systems, and the National Virtual Pointer Index System (NVPS), which is a narcotics investigation deconfliction system.

In 2003, the RISS Program provided approximately \$188,000 in confidential funds for the purpose of investigative information, contraband, stolen property, and other evidentiary items and made over 4,720 loans of specialized surveillance and investigative equipment. Resources such as this are critical, particularly for small law enforcement agencies that lack the financial resources to provide them on their own. As a result of these services, member agency investigations supported by RISS Center services resulted in over 4,600 arrests, the seizure of \$67 million in narcotics, \$13 million in property, and \$4 million in currency seized or recovered.

Other OJP Efforts Addressing Methamphetamine Abuse

Our National Institute of Justice (NIJ) is working on a comprehensive review of methamphetamine-related research. Drafting of a report (due to be released in early 2005) is underway that will identify lessons learned about enforcement and treatment and will identify research gaps that need to be addressed. The report will include:

- An extensive timeline documenting the history and evolution of methamphetamine abuse in the U.S.;
- Information about methamphetamine chemical makeup, including recipes, precursor chemicals, and retail products needed for methamphetamine creation;
- An historical overview of federal, state, and local law enforcement efforts to combat methamphetamine production and abuse;
- A review of current treatment practices for methamphetamine users; and
- A discussion of the lack of adequate information on methamphetamines in the most widely used data systems designed to combat drug abuse.

In 2003, our Office for Victims of Crime (OVC) released a bulletin focusing on victims of methamphetamine use who are too often overlooked – children found living or visiting methamphetamine laboratories. These children face severe health and safety risks, including fires and explosions. Increasingly, child protection workers found that these children suffer from burns, bruises, untreated skin disorders, bites, and infections. These children are often abused both physically and emotionally, and their needs are frequently neglected. They are also exposed to an unhealthy atmosphere, including the presence of firearms and parents engaged in criminal behavior.

The bulletin, *Children at Clandestine Methamphetamine Labs: Helping Meth's Youngest Victims*, explains that the best way to help these children is through coordinated multi-disciplinary efforts, such as, medical/mental health services, child protective services, law enforcement, prosecutors, and public safety officials. It is available through the OVC website at www.ojp.usdoj.gov/ovc.

COPS Methamphetamine Program

The Office of Community Oriented Policing Services – also known as COPS – operates the COPS Methamphetamine Program. The program is intended to support state and local clandestine lab clean-up efforts. In 2005, the Administration requests \$20 million for this purpose.

Available on the COPS website at www.cops.usdoj.gov is a problem-solving guide on clandestine drug labs and an evaluation of the COPS Meth Program. The guide is intended to help law enforcement develop proactive, prevention strategies and to improve the overall response to these incidents. The evaluation assesses the effectiveness of the community policing strategies employed by the various jurisdictions funded by the COPS Office under the Methamphetamine Program in FY 1998. The evaluation report indicates success among those agencies employing coordinated proactive intervention tactics, including targeted enforcement strategies coupled with police and community awareness training regarding the production and distribution of the drug.

Conclusion

Even though these collective resources from OJP and COPS are helping address the nation's methamphetamine problem, we strive to work harder with all of our partnering agencies to ensure that resources are used effectively and efficiently at the federal and local levels. Further, through our conferences, we have learned from the field that they would be better served by having a centralized resource—or pointer system—for information on methamphetamine abuse and strategies to address the problem, including law enforcement and prosecution strategies, environmental briefs, research summaries, funding information, and related topics. We plan to work with our federal partners and outside organizations in pursuing the idea of an online meth resource center. We want to explore every feasible option that will have a strong impact on making methamphetamine abuse a trend of the past.

We appreciate the interest you and your colleagues have shown in this critical drug abuse issue. I welcome the opportunity to answer any questions that you may have.